



## U.S. Department of Justice

Application granted. The Clerk of Court is respectfully directed to terminate the pending letter-motion (Doc. 128).

  
SO ORDERED.

Philip M. Halpern  
United States District Judge

Dated: White Plains, New York  
March 14, 2025

The Honorable Philip M. Halpern  
United States District Judge  
Southern District of New York  
300 Quarropas Street  
White Plains, New York 10601

**Re: *United States v. Jamie and Nicholas Orsini*,  
23 Cr. 402 (PMH)**

Dear Judge Halpern:

The Government writes respectfully—with the consent of one the defendants, Nicholas Orsini, but without the consent of the other defendant, Jamie Orsini—to request an additional one-week extension of its time to respond to the Orsinis' post-trial motions for a judgment of acquittal, or, in the alternative, for a new trial, pursuant to Federal Rules of Criminal Procedure 29 and 33. (Docket Entries 105–06, 118–21).

As the Court is aware, on September 27, 2024, following a trial before this Court and a jury, the Orsinis were each convicted of one count of carjacking resulting in death, in violation of 18 U.S.C. §§ 2119(3) and 2, and one count of conspiracy to commit carjacking, in violation of 18 U.S.C. § 371. After the parties consulted with one another, Nicholas Orsini wrote to the Court and asked for a post-trial briefing schedule on consent: the Orsinis would immediately file their Rule 29 and 33 motions, but would file memoranda in support of those motions by December 13, 2024, and the Government would respond by February 28, 2025. (Docket Entry 103). This Court entered that schedule. (Docket Entry 104). The Orsinis followed the schedule, filing their post-trial motions the next day (Docket Entries 105–06), and memoranda on December 13, 2024 (Docket Entries 118–21). On February 25, 2025, the Government—with consent from both Orsinis—requested a two-week extension of time to submit its responsive brief. (Docket Entry 126). The next day, this Court granted that extension; as a result, the Government's response is due tomorrow, March 14, 2025. (Docket Entry 127).

The Government continues to believe the Orsinis' motions are meritless and intends to oppose those motions. The response to these motions, however, is complicated largely by the need to gather, sort through, streamline, and summarize a massive volume of evidence that is largely circumstantial and largely in the form of

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exhibits rather than narrative testimony. Moreover, as the Government explained in its February 25, 2025, letter, “[i]n light of the workload of the assigned AUSAs, however, the Government’s response would be significantly more helpful to the Court if the Government had additional time to prepare its response.” That workload has not abated; additionally, one of the assigned AUSAs was out of the country and unavailable, and another of the assigned AUSAs has been handling a long series of emergency legal issues that have taken the majority of his time. Accordingly, the Government respectfully requests that its time to respond to the Orsinis’ motions be extended by one week to March 21, 2025. I have emailed with counsel for the Orsinis. Andrew G. Patel, Esq. and Bruce D. Koffsky, Esq. (counsel for Nicholas Orsini) consents to the request. Donald J. Yannella III, Esq. (counsel for Jamie Orsini) stated “we need to answer that our client does not consent.”

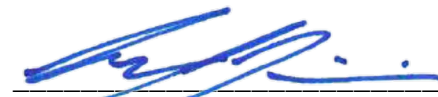
Absent extraordinary circumstances, we do not expect to request an additional extension of time.

Please do not hesitate to contact me with any questions.

Respectfully submitted,

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Acting United States Attorney

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